



National NAGPRA Update

Fall 2003



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National NAGPRA Update is a twice-yearly overview of current NAGPRA issues. The *Update* has information on recent regulatory developments, meetings, training, grants, and other NAGPRA related resources. We hope you find the *Update* to be timely, relevant, and useful in furthering your awareness of recent developments in the NAGPRA community.

Interior Makes its Case on Kennewick Man

On September 10, 2003, the U.S. Court of Appeals for the Ninth Circuit heard oral arguments in the ongoing Kennewick Man case. The Department of the Interior presented its appeal of Judge Jelderks' earlier ruling in which he found that the Kennewick Man remains were not "Native American" within the meaning of NAGPRA.

Attorneys for the plaintiffs and appellant tribes also presented their arguments. The three-judge Ninth Circuit panel will announce its decision after completing its deliberations.

Grants

FY 2004 NAGPRA Grant guidelines and application forms are now available on National NAGPRA's Website: www.cr.nps.gov/nagpra/grants. Two types of NAGPRA grants are available: repatriation awards of up to \$15,000, and documentation grant awards of up to \$75,000. Draft documentation grant proposals will be accepted for pre-review through December 31, 2003. Final documentation grant proposals must be postmarked by March 1, 2004, for consideration. The award of NAGPRA grants is subject to congressional appropriation.

A **NAGPRA grant writing workshop** will be held at the La Posada Hotel in Albuquerque, NM, on November 18, 2003. The workshop is offered at no charge, and preregistration is not required. For more information, contact National NAGPRA program officer Dr. Paula Molloy by phone (202) 354-2207, or e-mail, paula_molloy@nps.gov.

Review Committee

The Fall 2003 meeting of the Native American Graves Protection and Repatriation Review Committee, originally scheduled for November 21 – 22, 2003, will be rescheduled for early 2004, and will be held in Albuquerque, NM. Details will be announced in the Federal Register and on the National NAGPRA Website (www.cr.nps.gov/nagpra/index.htm).

Terms recently expired for three of the seven Review Committee members. The period for nominating new members ended on August 5, 2003.

Nominations are currently under consideration for one position to be held by a traditional Native American religious leader, and two positions representing the museum and scientific communities.

On October 27, 2003, Mr. Lee Staples (St. Croix Chippewa Indians of Wisconsin) was appointed to a 4-year term on the Review Committee. Mr. Staples will serve on the Review Committee in one of the two positions reserved for a traditional Native American religious leader.

Training

National NAGPRA recently posted an updated training schedule to its Website: www.cr.nps.gov/nagpra/training.htm. The Albuquerque NAGPRA Seminar will be held on November 20, 2003. The Seminar provides a comprehensive NAGPRA overview, as well as an opportunity to explore selected NAGPRA topics in more depth.

Two NAGPRA training courses will be held in spring 2004 in Washington, DC. The Washington, DC NAGPRA Seminar will cover all aspects of NAGPRA. In addition to the Seminar, National NAGPRA will also offer "Implementing NAGPRA Section 3: Excavations and Inadvertent Discoveries

on Federal and Tribal Lands." Designed to meet the needs of cultural resource professionals working on Federal and tribal lands, this workshop focuses on developing a more thorough understanding of the excavation and inadvertent discovery provisions of NAGPRA, including the notification process, consultation requirements, and priority of claims.

National NAGPRA trainings, including the NAGPRA Seminars and the Section 3 workshop, are offered free of charge. For details, see our Website, or contact National NAGPRA program officer Dr. Paula Molloy by telephone at 202-354-2207, or e-mail, paula_molloy@nps.gov.

Regulatory News

National NAGPRA has initiated consultation regarding 43 CFR 10.7, "Disposition of unclaimed Native American human remains, funerary objects, sacred objects, and objects of cultural patrimony." This regulation applies to cultural items found on Federal or tribal land after November 16, 1990. NAGPRA requires that this regulation be developed in consultation with the Native American Graves Protection and Repatriation Review Committee, Native American groups, and representatives of museums and the scientific community.

A consultation meeting with tribal representatives is scheduled for the morning of November 19, 2003, and a consultation meeting with Federal agency representatives will be held that afternoon. Both

meetings will take place in Albuquerque, NM. For details, see the National NAGPRA Website (www.cr.nps.gov/nagpra/index.htm), or contact National NAGPRA program officer, Dr. Karen Mudar, by telephone at 202-354-2203, or e-mail, karen_mudar@nps.gov.

National NAGPRA continues its development of 43 CFR 10.11, "Disposition of culturally unidentifiable human remains." This regulation is intended to provide a process for the disposition of culturally unidentifiable Native American human remains that are in museum and Federal agency collections. A draft of this section is currently in review within the National Park Service.

Meetings and Outreach

National NAGPRA program officers have participated in several recent conferences and meetings. Dr. Paula Molloy chaired a panel at the American Association of Museums annual meeting, May, 2003; Dr. Karen Mudar attended a meeting on tribal consultation hosted by the Army National Guard, May 2003; Dr. Tim McKeown chaired a panel

at the World Archaeological Congress, and attended the National Association of Tribal Historical Preservation Officers annual meeting, June, 2003; and Dr. Karen Mudar and National NAGPRA program manager, Mr. John Robbins, attended a Department of the Navy meeting on tribal consultation, August, 2003.

National NAGPRA Website

National NAGPRA recently completed a major redesign of its Website, including the addition of several new navigation pages. To better meet the needs of its audience, National NAGPRA has added pages for tribes, museums, Federal agencies, the public, and the press. Go to -- www.cr.nps.gov/nagpra/index.htm, and click on the links on the top navigation bar.

The updated site also features a new Frequently Asked Questions page (www.cr.nps.gov/faq/index.htm), and a NAGPRA Glossary with definitions for the many specialized terms used in NAGPRA (www.cr.nps.gov/nagpra/training/glossary.htm).